

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**WENDELL USHER, JR.,**

**Plaintiff,**

**v.**

**PLATINUM EXPRESS, INC. and  
TIERRE JAMEL MOSLEY,**

**Defendants.**

**CIVIL ACTION FILE NO.**

**REMOVED FROM STATE COURT  
OF HENRY COUNTY  
CIVIL ACTION FILE NO.  
STSV2022000072**

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**DEFENDANT PLATINUM EXPRESS, INC.'S NOTICE OF REMOVAL  
TO UNITED STATES DISTRICT COURT**

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TO: The Honorable Judges of the United States District Court for the Northern District of Georgia, Atlanta Division:

COMES NOW, **PLATINUM EXPRESS, INC.** (hereinafter “Defendant”), and files the following Notice of Removal to United States District Court, showing the Court as follows:

1. This civil action was filed on or about January 19, 2022 in the State Court of Henry County, State of Georgia. That action is designated there as Civil Action File No.: STSV2022000072. Defendant was served on or about February 14, 2022, which

is the first time Defendant had notice of the suit. Further, no evidence of service has been filed with the Henry County State Court. This notice of removal is timely filed.

2. Defendant files herewith a copy of all process, pleadings, and orders received by Defendant in Civil Action File No.: STSV2022000072, pursuant to 28 USC §1446.

3. Defendant, is now, was at the commencement of Civil Action File No.: STSV2022000072, and at all times since has been an entity organized and existing under the laws of the State of Delaware.

4. Defendant's Principal Office at the time of filing of Civil Action File No.: STSV2022000072, and at all times since has been located in Dayton, Ohio. (Compl. ¶ 2).

5. Defendant Tierre Jamel Mosley was at the commencement of Civil Action File No.: STSV2022000072, and at all times since has been a citizen and resident of the State of Ohio. (Compl. ¶ 4).

6. Upon information and belief, Plaintiff is an individual residing in the State of Georgia. (Compl. ¶ 1).

7. The action described above is a civil action with a claim of which this Court has original jurisdiction, and it is one that may be removed to this Court by the Defendant pursuant to the provisions of 28 USC §§ 1332 and 1441 et seq., in that there

is complete diversity among the Parties, the Parties are not residents of the same State, and Plaintiff has alleged an amount in excess of \$75,000.00, therefore the amount in controversy exceeds \$75,000.00 exclusive of interest and costs.

8. Defendants attach hereto a copy of the Summons and Complaint in State Court of Henry County, State of Georgia, marked as Exhibit “A”.

9. Defendants attach hereto a copy of Defendants' Notice of Removal which has been sent for filing in the State Court of Henry County, State of Georgia, marked as Exhibit “B”.

11. All Defendants agree to this removal.

WHEREFORE, Defendant prays that the above action now pending against it in the State Court of Henry County, State of Georgia, be removed to this Court.

Respectfully submitted this 3rd day of March, 2022.

**HALL BOOTH SMITH, P.C.**

*/s/ Paul E. Petersen*

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**DEFENDANT DEMANDS**

**TRIAL BY JURY**

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**CERTIFICATE OF SERVICE**

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I hereby certify that on this day I have served a copy of the within and foregoing **DEFENDANT PLATINUM EXPRESS, INC.'S NOTICE OF REMOVAL TO UNITED STATES DISTRICT COURT** upon all parties to this matter by depositing same in the U.S. Mail, proper postage prepaid, addressed to counsel of record and/or filing said document electronically which will automatically send electronic notification to the following:

Hector J. Rojas, Jr.  
Morgan & Morgan, PLLC  
191 Peachtree Street NE, Suite 4200  
P.O. Box 57007  
Atlanta, GA 30343-1007  
[hrojasjr@forthepeople.com](mailto:hrojasjr@forthepeople.com)

Respectfully submitted this 3rd day of March, 2022.

**HALL BOOTH SMITH, P.C.**

/s/ Paul E. Petersen  
SCOTT H. MOULTON  
Georgia State Bar No. 974237  
PAUL E. PETERSEN  
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**DEFENDANT DEMANDS**  
**TRIAL BY JURY**